

Robert S. Weisbein (RW 0080)  
FOLEY & LARDNER LLP  
90 Park Avenue  
New York, NY 10016  
Telephone: 212.682.7474  
Facsimile: 212.687.2329  
Email: [rweisbein@foley.com](mailto:rweisbein@foley.com)

*Attorneys for Defendant The Medical Protective Company*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
BROADVISION, INC.,

*Plaintiff,*

v.

GENERAL ELECTRIC COMPANY and  
THE MEDICAL PROTECTIVE COMPANY

*Defendants.*  
-----X

No. 1:08-CV-001478 (MGC)  
ECF CASE

**MOTION FOR ADMISSION  
OF DAVID P. IRMSCHER, ESQ.  
PRO HAC VICE**

FILED  
U.S. DISTRICT COURT  
2008 APR -7 PM 2:15  
SOUTHERN DISTRICT OF NEW YORK

Pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I, Robert S. Weisbein, shareholder of the firm Foley & Lardner and local counsel for the defendant The Medical Protective Company in the above-captioned litigation, and a member in good standing of the Bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

David P. Irmischer, Esq.  
Baker & Daniels LLP  
111 East Wayne Street  
Suite 800  
Fort Wayne, Indiana 46802  
Tel: 260.424.8000  
Fax: 260.460.1700  
Email: [david.irmscher@bakerd.com](mailto:david.irmscher@bakerd.com)

Attached hereto as Exhibit A is a Certificate of Good Standing dated March 25, 2008, issued within thirty (30) days of this Motion, stating that Mr. Irmischer is a member in good standing of the Indiana State Bar.

An Affidavit in Support and Proposed Order is submitted herewith. The proscribed fee of \$25.00 shall be filed with the Clerk of Court.

Dated: April 7, 2008  
New York, NY

Respectfully submitted,

FOLEY & LARDNER

By: 

Robert S. Weisbein (RW-0080)

FOLEY & LARDNER

90 Park Avenue

New York, NY 10016

Telephone: 212.682.7474

Facsimile: 212.687.2329

Email: [rweisbein@foley.com](mailto:rweisbein@foley.com)

*Attorneys for Defendant The Medical  
Protective Company*

# SUPREME COURT OF THE STATE OF INDIANA



## *Certification*

STATE OF INDIANA, SS:

I, Kevin S. Smith, Clerk of the Supreme Court  
of Indiana, do hereby certify that

DAVID PARK IRMSCHER

is a member of the bar of said Court since admission on  
NOVEMBER 20th 1989, and is in good  
standing therein.

GIVEN under my hand and the seal of said Court at Indianapolis,  
Indiana, this 25th day of MARCH, 20 08.

\_\_\_\_\_  
KEVIN S. SMITH  
CLERK, SUPREME COURT OF INDIANA

Robert S. Weisbein (RW 0080)  
 FOLEY & LARDNER LLP  
 90 Park Avenue  
 New York, NY 10016  
 Telephone: 212.682.7474  
 Facsimile: 212.687.2329  
 Email: rweisbein@foley.com

*Attorneys for Defendant The Medical Protective Company*

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

-----X	
BROADVISION, INC.,	: No.1:08-CV-001478 (MGC)
	: ECF CASE
<i>Plaintiff,</i>	:
	:
v.	: <b>AFFIDAVIT OF ROBERT S.</b>
	: <b>WEISBEIN IN SUPPORT OF</b>
	: <b>MOTION FOR ADMISSION OF</b>
GENERAL ELECTRIC COMPANY and	: <b>DAVID P. IRMSCHER</b>
THE MEDICAL PROTECTIVE COMPANY	: <b><u>PRO HAC VICE</u></b>
	:
<i>Defendants.</i>	:
-----X	

STATE OF NEW YORK     )  
                                   ) ss:  
 COUNTY OF NEW YORK    )

I, Robert S. Weisbein, being duly sworn, states:

1. I am a partner of the firm Foley & Lardner LLP, local counsel for defendant The Medical Protective Company in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein.
2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in January 1984. I am also admitted to the bar of the

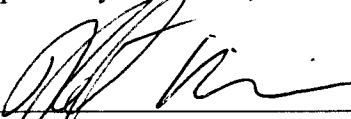
United States District Court for the Southern District of New York, and am in good standing with this Court.

3. Mr. Imscher is a partner at Baker & Daniels LLP, in Fort Wayne, Indiana.
4. Based on my knowledge of the Baker & Daniels firm and several of Mr. Imscher's colleagues at the firm, I believe he is a skilled attorney and a person of high moral character. I also understand that he is experienced in Federal practice and is familiar with the Federal Rules of Procedure, the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, and the provisions of the Judicial Code (Title 28 U.S.C.) which pertain to the jurisdiction of, and practice in the United States District Courts.
5. Accordingly, I am pleased to move the admission of David P. Imscher, *pro hac vice*.
6. I respectfully submit a proposed order granting the admission of David P. Imscher, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit David P. Imscher, *pro hac vice*, to represent the defendant The Medical Protective Company in the above captioned matter, be granted.

Dated: April 7, 2008  
New York, NY

Respectfully submitted,

By:   
Robert S. Weisbein (RW 0080)

STATE OF NEW YORK     )  
  ) ss:  
COUNTY OF NEW YORK    )

Subscribed and sworn to me this 7<sup>th</sup> day  
of April, 2008.

  
NOTARY PUBLIC

**LAUREL SANDLER**  
Notary Public, State of New York  
No. 4768358  
Qualified in Nassau County  
Certificate Filed in Nassau County  
Commission Expires Sept. 30, 2010

Robert S. Weisbein (RW 0080)  
FOLEY & LARDNER LLP  
90 Park Avenue  
New York, NY 10016  
Telephone: 212.682.7474  
Facsimile: 212.687.2329  
Email: [rweisbein@foley.com](mailto:rweisbein@foley.com)

*Attorneys for Defendant The Medical Protective Company*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
BROADVISION, INC.,

*Plaintiff,*

v.

GENERAL ELECTRIC COMPANY and  
THE MEDICAL PROTECTIVE COMPANY

*Defendants.*  
-----X

No. 1:08-CV-001478 (MGC)  
ECF CASE

**ORDER ADMITTING  
DAVID P. IRMSCHER  
PRO HAC VICE**

Upon the motion of Robert S. Weisbein attorney for the defendant The Medical Protective Company and said sponsor attorney's affidavit in support:

**IT IS HEREBY ORDERED** that

David P. Irmischer, Esq.  
Baker & Daniels LLP  
111 East Wayne Street  
Suite 800  
Fort Wayne, Indiana 46802  
Tel: 260.424.8000  
Fax: 260.460.1700  
Email: [david.irmscher@bakerd.com](mailto:david.irmscher@bakerd.com)

is admitted to practice *pro hac vice* as counsel for the defendant in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing

before this court are subject to the Local Rules of this Court, including the Rules governing the discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

SO ORDERED:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Miriam Goldman Cedarbaum  
UNITED STATES DISTRICT JUDGE



Robert S. Weisbein (RW 0080)  
FOLEY & LARDNER LLP  
90 Park Avenue  
New York, NY 10016  
Telephone: 212.682.7474  
Facsimile: 212.687.2329  
Email: [rweisbein@foley.com](mailto:rweisbein@foley.com)

*Attorneys for Defendant The Medical Protective Company*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
BROADVISION, INC.,

*Plaintiff,*

v.

GENERAL ELECTRIC COMPANY and  
THE MEDICAL PROTECTIVE COMPANY

*Defendants.*  
-----X

No. 1:08-CV-001478 (MGC)  
ECF CASE

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK                    )  
  ) ss.:  
COUNTY OF KINGS                    )

JOANNA KAHAN, being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and resides at 366 12<sup>th</sup>  
Street, Brooklyn, NY 11215.

That on the 7<sup>th</sup> day of April, 2008, deponent served copies of the **Defendant's**  
**Motion to Admit David P. Irmischer, Esq. Pro Hac Vice**, the **Affidavit of Robert S. Weisbein**  
**in Support of Motion to Admit Counsel Pro Hac Vice** with attached exhibit and **Proposed**  
**Order** by United States first class mail upon:

L. Donald Prutzman, Esq.  
Tannenbaum Helpert Syracuse & Hirschtitt LLP  
900 Third Avenue  
New York, NY 10022

*Attorneys for Plaintiff Broadvision Inc.*

Robert Penchina, Esq.  
Levine Sullivan Koch & Schulz LLP  
321 West 44<sup>th</sup> Street, Suite 510  
New York, NY 10036

*Attorneys for Defendant General Electric Company*

Sworn to before me this  
7<sup>th</sup> day April, 2008

Laurel Sandler  
Notary Public

Joanna C. Kahan  
Joanna C. Kahan

LAUREL SANDLER  
Notary Public, State of New York  
No. 4768358  
Qualified in Nassau County  
Certificate Filed in Nassau County  
Commission Expires Sept. 30, 2010